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08 JUN 18 PM 3:00

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]*

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury **08 CR 2030 L**

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	Title 8, U.S.C., Secs. 1326(a)
)	and (b) - Attempted Entry After
MARIO OCHOA-LOPEZ,)	Deportation; Title 18, U.S.C.,
)	Sec. 911 - False Claim to United
Defendant.)	States Citizenship
)	

The grand jury charges:

Count 1

On or about April 25, 2008, within the Southern District of California, defendant MARIO OCHOA-LOPEZ, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that

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JPME:em:San Diego
6/16/08

1 was a substantial step toward committing the offense, all in violation
2 of Title 8, United States Code, Sections 1326(a) and (b).

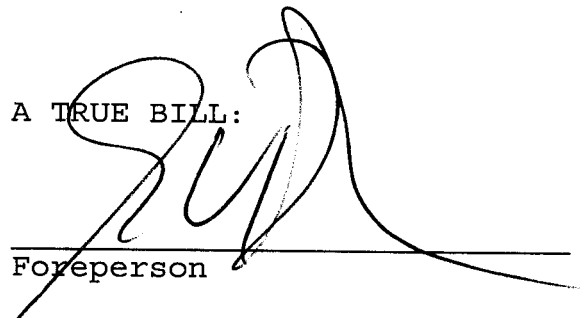
3 It is further alleged that defendant MARIO OCHOA-LOPEZ was
4 removed from the United States subsequent to June 8, 2001.

5 Count 2


6 On or about April 25, 2008, within the Southern District of
7 California, defendant MARIO OCHOA-LOPEZ did falsely and willfully
8 represent to Department of Homeland Security, Bureau of Customs and
9 Border Protection Enforcement Officer R. Deocampo, a person having
10 good reason to inquire into the nationality status of the defendant,
11 that he was a citizen of the United States; whereas, in truth and
12 fact, as the defendant then and there well knew, he was not a citizen
13 of the United States; in violation of Title 18, United States Code,
14 Section 911.

15 DATED: June 18, 2008.

16 A TRUE BILL:

17
18
19 
Foreperson

20 KAREN P. HEWITT
United States Attorney

21 
22 By: _____
23 JAMES P. MELENDRES
Assistant U.S. Attorney